IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4594 OF 2006

Sunil Bhoolabhai (Dentist) ..Applicant
V/s
The State of Maharashtra and Anr. ..Respondents.

Mr.Rajendra Sorankar, Advocate for the applicant.
Mr.D.P.Adsule, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 5TH APRIL, 2007.

P.C.

. Heard Mr. Sorankar, learned Counsel for the applicant and Mr.Adsule, learned APP for the State. Perused the impugned order. In the year 1999 process was issued against the present applicant on a complaint lodged by respondent No.2. For the first time, in 2005 the applicant challenged the issuance of process before this Court in Criminal Application No. 2181/2005. Thereafter the application came to be withdrawn, as efficacious remedy of revision was available. As there was a long delay of more than 5 years, the applicant moved revision application before the Sessions Court with the application for condonation of delay. The delay was condoned subject to payment of costs of Rs.

8000/-. However, the applicant failed to deposit the cost and therefore, his revision application came to be rejected by order dated 5/5/2006. He has filed the present application under section 482 Cr.P.C. challenging the said order on 13th December, 2006 i.e. 7 months after rejection of his revision application. It appears that he had not challenged the issuance of process for more than 5 years, till he moved this Court under section 482 Cr.P.C. Therefore, I find no fault in the inmpugned order of the Sessions Court.

2. As there is no substance in the application, the application is rejected.

(J.H. BHATIA, J.)